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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 RISHARDO LAWRENCE,
12 Plaintiff,
13 v.
14 GAVIN NEWSOM,
15 Defendant.
16

No. 2:22-CV-1975-WBS-DMC-P

ORDER

17 Plaintiff, a prisoner proceeding with retained counsel, brings this civil rights action
18 pursuant to 42 U.S.C. § 1983.

19 On March 21, 2024, the District Judge directed Plaintiff to file a first amended
20 complaint within 30 days. See ECF No. 31. As of May 8, 2024, Plaintiff had not complied, and
21 the Court issued findings and recommendations that this action be dismissed without prejudice for
22 lack of prosecution and failure to comply with court rules and orders. See ECF No. 32. Plaintiff,
23 through retained counsel, filed objections on May 14, 2024. See ECF No. 33. In the objections,
24 Plaintiff's counsel states that an amended complaint was inadvertently not filed within the
25 deadline set by the District Judge due to an illness requiring skilled nursing care. See id. Counsel
26 states that his medical situation has resolved, and he is now able to file a first amended complaint.
27 See id. Good cause appearing therefor, the Court will vacate the May 8, 2024, findings and
28 recommendations and extend the time within which to file a first amended complaint.

Accordingly, IT IS HEREBY ORDERED as follows:

1. The findings and recommendations issued on May 8, 2024, are
VACATED.

2. Within 30 days of the date of this Order, Plaintiff shall file a first amended
complaint consistent with the District Judge's March 21, 2024.

Dated: May 16, 2024



DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE